

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

In Re:

Case No: 10-07347

MARIA DE LOURDES COSME HERNANDEZ

Chapter 13

Debtor(s)

MOTION TO INFORM AMENDED PLAN

TO THE HONORABLE COURT:

NOW COMES the debtor, through the undersigned attorney, and very respectfully alleges and prays:

1. That today the debtor is filing an amended chapter 13 repayment plan.
2. That the reason for amendment is to clarify provision for Crim and R-G Mortgage and provide for pre petition arrears with Doral Financial.

WHEREFORE, it is respectfully requested to this Honorable Court to take notice of the aforementioned.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the Chapter 13 Trustee, and we sent copy of this document through regular mail to debtor (s) and all non CM/ECF participants interested parties to their addresses listed on the master address list.

In San Juan, Puerto Rico this 3rd day of March of 2011.

JPC LAW OFFICE

Jose M Prieto Carballo, Esq
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San Juan, P.R. 00936-3565
Tel (787) 607-2066 & Tel (787) 607-2166
jpc@jpcclawpr.com

By: /s/ Jose M Prieto Carballo, Esq.

United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 10-07347-13

COSME HERNANDEZ, MARIA DE LOURDES

Chapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION		<input checked="" type="checkbox"/> AMENDED PLAN DATED: 3/03/2011 Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other																																																														
I. PAYMENT PLAN SCHEDULE <table style="width:100%;"> <tr> <td>\$ 320.00</td> <td>x</td> <td>60</td> <td>= \$</td> <td>19,200.00</td> </tr> <tr> <td>\$</td> <td>x</td> <td></td> <td>= \$</td> <td></td> </tr> <tr> <td>\$</td> <td>x</td> <td></td> <td>= \$</td> <td></td> </tr> <tr> <td>\$</td> <td>x</td> <td></td> <td>= \$</td> <td></td> </tr> <tr> <td>\$</td> <td>x</td> <td></td> <td>= \$</td> <td></td> </tr> </table> <p style="text-align: right;">TOTAL: \$ 19,200.00</p> <p>Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from:</p> <p><input type="checkbox"/> Sale of Property identified as follows: _____</p> <p><input type="checkbox"/> Other: _____</p> <p>Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____</p> <p>PROPOSED BASE: \$ 19,200.00</p>		\$ 320.00	x	60	= \$	19,200.00	\$	x		= \$		\$	x		= \$		\$	x		= \$		\$	x		= \$		II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: <table style="width:100%;"> <tr> <td>Cr. DORAL FINANCIAL</td> <td>Cr. R-G MORTGAGE</td> <td>Cr. _____</td> </tr> <tr> <td># 8930050048295</td> <td># 1375421</td> <td># _____</td> </tr> <tr> <td>\$ 135.00</td> <td>\$ 1,500.00</td> <td>\$ _____</td> </tr> </table> 2. <input type="checkbox"/> Trustee pays IN FULL Secured Claims: <table style="width:100%;"> <tr> <td>Cr. _____</td> <td>Cr. _____</td> <td>Cr. _____</td> </tr> <tr> <td># _____</td> <td># _____</td> <td># _____</td> </tr> <tr> <td>\$ _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table> 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: <table style="width:100%;"> <tr> <td>Cr. _____</td> <td>Cr. _____</td> <td>Cr. _____</td> </tr> <tr> <td># _____</td> <td># _____</td> <td># _____</td> </tr> <tr> <td>\$ _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table> 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: _____ 5. <input type="checkbox"/> Other: _____ 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: R-G MORTGAGE DORAL FINANCIAL _____ C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ <table style="width:100%;"> <tr> <td>Cr. _____</td> <td>Cr. _____</td> <td>Cr. _____</td> </tr> <tr> <td># _____</td> <td># _____</td> <td># _____</td> </tr> <tr> <td>\$ _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table> 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) See Continuation Sheet		Cr. DORAL FINANCIAL	Cr. R-G MORTGAGE	Cr. _____	# 8930050048295	# 1375421	# _____	\$ 135.00	\$ 1,500.00	\$ _____	Cr. _____	Cr. _____	Cr. _____	# _____	# _____	# _____	\$ _____	\$ _____	\$ _____	Cr. _____	Cr. _____	Cr. _____	# _____	# _____	# _____	\$ _____	\$ _____	\$ _____	Cr. _____	Cr. _____	Cr. _____	# _____	# _____	# _____	\$ _____	\$ _____	\$ _____
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III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,650.00		Signed: <u>/s/ MARIA DE LOURDES COSME HERNA.</u> Debtor _____ Joint Debtor																																																														

Attorney for Debtor Jose Prieto

Phone: (787) 607-2066

IN RE COSME HERNANDEZ, MARIA DE LOURDES

Debtor(s)

Case No. 10-07347-13

CHAPTER 13 PAYMENT PLAN
Continuation Sheet - Page 1 of 2

Executory Contracts - Rejected:

Cr	#	\$
<u>COMMERCE PLAZA INC</u>		

IN RE COSME HERNANDEZ, MARIA DE LOURDES

Case No. 10-07347-13

Debtor(s)

CHAPTER 13 PAYMENT PLAN
Continuation Sheet - Page 2 of 2

FAILURE TO TIMELY OBJECT TO THIS PLAN BY A CREDITOR CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT METHOD OF PAYMENT 11 USC 1325 (a)(5).

ATTORNEY'S FEES WILL BE PAID AHEAD OF SECURED CREDITORS PER 11 USC 330.

TAX REFUNDS, IF ANY ARE RECEIVED BY DEBTOR, WILL BE TENDERED TO THE TRUSTEE AS PERIODIC PAYMENTS TO FUND THE PLAN UNTIL PLAN COMPLETION IN ADDITION TO PAYMENTS ALREADY PROVIDED HEREIN, AND THE PLAN SHALL BE CONSIDERED AUTOMATICALLY AMENDED. IF DEBTOR(S) NEED TO USE ANY PART OF THESE FUNDS, PROPER AUTHORIZATION WILL BE SOUGHT FROM THE COURT FOR SUCH PURPOSE.

DEBTOR CONSENTS TO THE LIFT OF THE AUTOMATIC STAY IN FAVOR OF BANCO SANTANDER, PROPERTY LOCATED AT GUAYAMA PUERTO RICO. CL-14

DEBTOR CONSENT TO THE LIFT OF THE AUTOMATIC STAY IN FAVOR OF RG MORTGAGE PROPERTY LOCATED AT VILLAS DE PUNTA GUILARTE PUERTO RICO. CL-4

DEBTOR CONSENT TO THE LIFT OF THE AUTOMATIC STAY IN FAVOR OF BANCO DE DESAROLLO PROPERTY LOCATED AT VILLAS DE PUNTA GUILARTE PUERTO RICO CL-12

DEBTOR CONSENT TO THE LIFT OF THE AUTOMATIC STAY IN FAVOR OF ASOCIACION DE CONDOMINES DE VILLAS DE PUNTA GUILARTE PUERTO RICO CL-1

DEBTOR CONSENT TO THE LIFT OF THE AUTOMATIC STAY IN FAVOR OF CRIM OVER PROPERTY LOCATED IN GUAYAMA PUERTO RICO. CL -8

TRUSTEE TO PAY CRIM SECURED DEBT OVER PROPERTY IN MONTECASINO TOA BAJA PR (\$1,379.80.00)

DEBTOR CONSENTS TO THE LIFT OF STAY IN FAVOR OF RG(SCOTIABANK) AND BANCO DE DESAROLLO OVER PROPERTY IN BRISAS DEL MAR. CL-6

DEBTOR CONSENTS TO THE LIFT OF STAY IN FAVOR OF R-G MORTGAGE (ACC 1145) SINCE PAYMENTS OF THE SAME ARE BEEN MADE BY DEBTORS MOTHER OUTSIDE OF BANKRUPTCY, SINCE SHE LIVES THE PROPERTY AND SHE IS CO- OWNER OF THE SAID PROPERTY.

Label Matrix for local noticing
0104-2
Case 10-07347-MCF13
District of Puerto Rico
Ponce
Mon Oct 25 12:49:11 AST 2010

US Bankruptcy Court District of PR
Southwestern Divisional Office
US Courthouse and Post Office Building
93 Atocha Street, Second Floor
Ponce, PR 00730-3759

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SAN JUAN, PR 00917-2202

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WILMINGTON, DE 19886-5019

HOME DEPOT CREDIT SERVICES
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SIOUX FALLS, SD 57117-6497

LYDIAJ HERNANDEZ MORALES
PO BOX 509555
TOA BAJA, PR 00950-0955

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The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)DORAL BANK	End of Label Matrix	
C/O LIGIA RIVERA BUJOSA	Mailable recipients	33
PO BOX 7821	Bypassed recipients	1
PONCE PR 00732-7821	Total	34